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Health, Education, and Human Services Committee approves legislation to amend the plan of operation for the Office of Background Investigations

WINDOW ROCK – Last Wednesday, the Health, Education, and Human Services Committee approved Legislation No. 0060-14, which seeks to amend the plan of operation for the Navajo Nation Office of Background Investigations.

Proposed language in the legislation states that the Navajo Nation Office of Background Investigations will provide professional background investigations for individuals that require services for program recipients, positions under schools, enterprises, boards, tribal programs, non-profit organizations, and contractors, excluding the U.S. Indian Health Services and Bureau of Indian Affairs Personnel and tribal commissioned law enforcement and tribal gaming enterprise personnel.

“This legislation is meant to improve and expand the services within the Navajo Nation, to have greater sustainability and financial liability that affects the operating service delivery to the Navajo people. This is a safe way to allow us to increase clients served by expanding our markets,” stated manager of the Office of Background Investigations Perry B. Yazzie.

Investigative services will include verification services, character references, civil searches, fingerprinting services, criminal record searches, credit checks, program specific searches and employment stability.

In addition, civil court searches will include FBI fingerprinting, federal nationwide and statewide criminal database searches, tribal court searches, sex offender registry searches, warrant searches, and tribal audit general.

“I make an amendment to add the Enterprise personnel and the Tribal Gaming Regulatory Office to be included in this exclusion as well. The Tribal Gaming Enterprise is regulated by the Navajo Regulatory Office in accordance with the Navajo Nation Gaming Regulatory Act,” stated HEHSC Council Delegate Joshua Lavar Butler (Tó Nanees Dizi).

HEHSC members approved Delegate Butler’s amendment with a vote 3-0.

“The Enterprise and Regulatory are still covered under the public law and the authorities to do the background checks according to their public law and compacts,” added Yazzie.

According to the legislation, the Office of Background Investigations would be under the Division of Human Resources as an independent department to eliminate any potential political influences

of sensitive background investigations and matters and it will operate under the legislative oversight of the HEHSC.

Part of the overall process includes drafting a Fund Management Plan, a plan aimed at generating revenue for operating and supporting costs of the program. Currently, the Fund Management Plan is being drafted and will go to the Budget and Finance Committee for consideration.

“With this legislation, if we follow the procedure, the Fund Management Plan would go first and then the Plan of Operation would go second, in case you needed to change anything. However, this committee can push for this option for this department,” stated legislation sponsor Council Delegate Dwight Witherspoon(Black Mesa, Forest Lake, Hardrock, Pinon, Whippoorwill).

HEHSC members approved Legislation No. 0060-14 with a vote of 2-1. The HEHSC serves as the final authority for this legislation.

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